

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Christopher John Kovanda

Bky. Case No. 20-41688
Chapter 7

Debtor.

Jane Doe 1,

Plaintiff,

Adv. No. _____

vs.

Christopher John Kovanda,

Defendant.

**COMPLAINT OBJECTING TO DISCHARGE OF DEBT UNDER
11 U.S.C. §523(a)(6)**

This complaint seeks an order of this court denying a bankruptcy discharge of liabilities based on willful and malicious injuries.

1. The Plaintiff, Jane Doe 1, is an individual resident of the State of Minnesota.
2. The Defendant, Christopher John Kovanda, filed a petition for relief under chapter 13 of the Bankruptcy Code on June 26, 2020, which was voluntarily converted to chapter 7 on August 7, 2020. The case is currently pending in the United States Bankruptcy Court for the District of Minnesota, and it remains open.

3. This complaint is filed under Fed. R. Bankr. P. 7001(6) and seeks an order determining the dischargeability of a debt under 11 U.S.C. §523(a)(6).

4. The deadline to object to the discharge of a debt pursuant to 11 U.S.C. §523 is November 9, 2020.

5. This Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. §§ 157 and 1334 and is a core proceeding to the extent it is requesting a determination of dischargeability under 11 U.S.C. §523(a)(6). Pursuant to 28 U.S.C. § 157(b)(5), this court does not have jurisdiction to determine Plaintiff Jane Doe 1's claim of liability or damages for her injury, and such claim is not a core proceeding.

WILLFUL OR MALICIOUS INJURY
NON-DISCHARGEABLE UNDER 11 U.S.C. §523(a)(6)

6. At all times material to the conduct alleged herein, Defendant Kovanda was an owner, chief executive officer, employee, surgeon, and agent of Kovanda Plastic Surgery, PLLC, a Minnesota limited liability company with its principal place of business located at 4999 France Ave S., # 210, Edina, Minnesota 55410.

7. Plaintiff Jane Doe 1 sought out treatment at Kovanda Plastic Surgery in 2019. Defendant Kovanda was her surgeon.

8. On November 25, 2019, while treating his patient, Jane Doe 1, Defendant Kovanda engaged in nonconsensual sexual contact with his patient, Jane Doe 1.

9. The acts of sexual contact perpetrated by Defendant Kovanda constitute criminal sexual conduct under Minn. Stat. § 609.3451.

10. The above referenced criminal sexual conduct is actionable in civil court

under Minn. Stat. § 541.073.

11. Defendant willfully and maliciously caused injury to Plaintiff.
12. Defendant's conduct manifested intentional, conscious and deliberate disregard for, or deliberate indifference to the high probability of injury to, the rights or safety of others, including the Plaintiff.
13. As a direct result of the above described instances of criminal sexual conduct committed by Kovanda, Plaintiff Jane Doe 1 has suffered and will continue to suffer severe and permanent psychological and emotional distress, humiliation, embarrassment, loss of self-esteem, and other psychological injuries; was damaged and will continue to be damaged from performing her normal daily activities and obtaining the full enjoyment of life; and will incur expenses for psychological treatment, therapy and counseling.

WHEREFORE, the Plaintiff requests an order of the Court as follows:

- A. That this court enter judgment in Plaintiff's favor and against Defendant in an amount in excess of \$50,000.00, together with interest, costs and disbursements for Plaintiff herein;
- B. That the court enter an order and judgment denying the Defendant's discharge of the liability determined herein pursuant to 11 U.S.C. §523(a)(6); and
- C. For such other and further relief as the Court deems just and equitable.

DEMAND FOR JURY TRIAL

Plaintiff Jane Doe 1 hereby demands a jury trial pursuant to Rule 38 of the Federal Rules of Civil Procedure and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a. Plaintiff Jane Doe 1 does not consent to the determination of liability or damages by the Bankruptcy Court.

Dated: October 29, 2020

AHLGREN LAW OFFICE, PLLC

/e/ Erik Ahlgren
Erik Ahlgren (#191814)
220 West Washington Ave.
Suite 105
Fergus Falls, MN 56537
(218) 998-2775
erik@ahlgrenlawoffice.net